Remarks

Claims 1-4, 8-11, 13-17, 21-23, 25, and 27-29 (all of the pending claims) are rejected under 35 USC 112, first paragraph, for failing to comply with the written description requirement. This rejection is traversed.

Claims 1, 2, 8, 9, and 29 are rejected as being anticipated by U.S. Patent No. 6,007,833 to Chudzik et al. (the '833 patent). Claims 3, 4, 10, 11, 13-17, 21-23, 25, 27, and 28 are rejected as obvious over the '833 patent in view of U.S. Patent No. 6,179,862 to Sawhney et al. (the '862 patent). These rejections are traversed.

The Written Description Rejection

Claim 1 recites a hydrogel woumd dressing formed by a composition that includes a "crosslinking initiator that is not bound to a macromer or another polymer". The Examiner states that this element is not sufficiently taught by the specification.

In the previous response, the Applicants pointed to specific disclosures in the specification of initiators that are not bound to a macromer or another polymer. The use of Irgacure is specifically mentioned- a photoinitator that is not bound to anything. The use of a redox system of ferrous salt and hydrogen peroxide is also specifically discussed. Also, the use of borate as an initiator. The Applicants do not have to delineate each and every unbound initiator that can be used. Nor does the specification need to have a specific statement that the initiators are unbound to satisfy this requirement. Applicants argue that one skilled in the art would understand that the claim element "crosslinking initiator that is not bound to a macromer or another polymer" refers to initiators such as these.

It is clear that Applicants have disclosed the use of a polymerizing initiator not bound to the macromer or another polymer and the amendments to the claims are not new matter or matter unsupported by the specification. This rejection should be reversed.

The rejection of claims 1, 2, 8, 9, and 29 over the '833 patent

The '833 patent teaches a crosslinkable macromer system. The system can be used as a wound dressing. The system includes two or more polymer/macromer-pendant polymerizable groups and one or more polymer/macromer-pendant initiator groups. The Examiner agrees that the "initiator group is present as either a pendant group on a polymerizable macromer, or pendant

on separate, non-polymerizable polymer backbone" (See the Office Action on page 4). Since Applicants claims are drawn to an unbound initiator (a "crosslinking initiator that is not bound to a macromer or another polymer"), this reference does not teach the claimed invention.

The rejection of claims 3, 4, 10, 11, 13-17, 21-23, 25, 27, and 28 over the '833 patent in view of the '862 patent

The '862 and '833 patents are cited in combination as rendering the claims obvious. The Examiner argues that the '833 patent teaches the macromers, which is not true, as discussed above. The Examiner states that the '833 patent teaches the initiator can be not bound to the macromer. But this is not what Applicants have argued or what they claim. The claims recite an initiator that is "not bound to a macromer or another polymer".

The Examiner first states that the '833 patent does not teach delivery by spray (page 6, second paragraph) but then in the third paragraph states that since the '833 patent does not teach a specific method of delivery that it must teach spray delivery. This is nonsensical. The '833 patent does not mention spray delivery. A general teaching of delivery is not a teaching of delivery via spray.

There exists no reason to combine the teachings of the references. In fact, as discussed previously, the '833 patent teaches away from the invention recited in the claims because it specifically teaches using a bound initiator. Moreover, even if the references are combined, the claimed invention does not result. The combined patents do not teach a wound dressing formed by spraying a PVA macromer having one or more pendant crosslinkable groups and using an unbound initiator.

The law requires that there be- in the references themselves- some motivation to combine the references. Nowhere does the '833 patent suggest that it would be beneficial to spray the composition taught therein and form a wound dressing. Nowhere does the '862 patent teach that it would be beneficial to use a PVA macromer having one or more pendant acrylamide groups containing olefinically unsaturated groups.

Conclusion

Reconsideration of the claims is respectfully requested.

Respectfully submitted,

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